

REMARKS

Upon entry of the present amendment, claims 7, 10, 15 and 23 will have been amended.

In view of the herein-contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner rejected claims 7, 9-11, 14, 15 and 17-31 under 35 U.S.C. § 102(b) as being anticipated by FROHBIETER (U.S. Patent No. 4,722,200). Applicants respectfully traverse the above-noted rejection and submits that it is inappropriate with respect to the combination of features recited in each of Applicants' claims. Accordingly, reconsideration of the outstanding rejection and an indication of the allowability of all the claims pending in the present application is respectfully requested, in due course.

In setting forth the rejection, the Examiner asserted that FROHBIETER discloses, *inter alia*, a partition 26 between the freezing chamber 16 and the cooling chamber 14 by partition walls formed by a plenum chamber 30. However, Applicants' claims define the partition as being provided to separate the freezing and cooling chambers, the partition being configured to define a predetermined space therein. Additionally, the evaporator and the blower fan are recited as being positioned within the predetermined space provided within the partition.

It is respectfully submitted that FROHBIETER clearly does not show at least this feature in the claimed combination. In this regard, the Examiner attempts to interpret the plenum as defining the predetermined space. However, the plenum walls are not part of the partition between the freezing and cooling chambers. The Examiner has correctly identified the partition 26 as being between the freezing and cooling chambers. However, the partition 26 does not

define a predetermined space therein. On the other hand, the wall 30 defining the plenum chamber does not separate the freezing and refrigerating chambers but rather is located between the partition 26 and within the freezing chamber.

Yet further, at column 3, lines 57-59, FROHBIETER explicitly discloses that the evaporator is adjacent to the separation wall 26 and not within a space provided within the partition.

Accordingly, according to the teachings of FROHBIETER, the evaporator fan and outlets are not within a predetermined space provided within the partition but rather within a space that is outside the partition within the freezer. At least for this reason, it is respectfully submitted that Applicants' claims are clearly patentable over the FROHBIETER reference cited by the Examiner.

In addition to the above-noted distinctions between the recitations of claim 7 and those of the FROHBIETER reference relied upon by the Examiner, Applicants respectfully submit that claim 23 contains yet additional features not taught, disclosed nor rendered obvious by FROHBIETER. In this regard, Applicants note that claim 23 recites, *inter alia*, that the predetermined space within the partition includes a narrowed portion between the blower fan and the outlets the change of velocity of the cooling air output to the freezing and cooling chambers. A review of the disclosure of FROHBIETER will reveal that no narrowed portion as recited at least in Applicants' claim 23 is taught, disclosed or rendered obvious thereby. Accordingly, for this additional reason, it is respectfully submitted that claim 23 is clearly patentable over the reference cited by the Examiner.

Moreover, the various dependent claims in the present application also recite features which, in the claimed combinations, are not taught, disclosed nor rendered obvious by

FROHBIETER. In this regard, and merely as an example, claim 10 recites that a portion of the cooling air passage defined by sidewalls of the partition is narrowed to increase a velocity of the stream of cooling air output by the blowing fan. This feature is not taught, disclosed or rendered obvious by FROHBIETER.

Similarly, claim 15 recites that a portion of sidewalls of the partition defining the cooling air passage between the blower fan and the cooling air outlets is narrowed to accelerate a flow of cooling air to each of the freezing and cooling chambers.

Similarly, claim 18 recites the cooling air outlets as provided in opposing sidewalls of the partition. Claim 20 recites the evaporator mounted at a middle portion of the predetermined space. Finally, claims 30 and 31 define the rotational axis of the blower to extend in a direction corresponding to a major dimension of the predetermined space. None of these additional features recited Applicants' dependent claims, in the respective claimed combinations, are taught, disclosed or rendered obvious by FROHBIETER.

Accordingly, each of these features provides yet additional bases for the patentability of the respective claims in the present application with respect to the FROHBIETER reference relied upon by the Examiner.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending herein, in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended several of the claims to more clearly define features of the present invention and to emphasize distinctions between the present invention and the reference relied upon by the Examiner.

Applicants have discussed the disclosure of the reference and have pointed out the shortcomings thereof with respect to the claims of the present invention. Applicants have also discussed the recitations of the claims in the present application, both independent and dependent, and have pointed out the distinctions between such recitations and the disclosure of the reference relied upon. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course

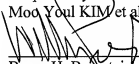
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

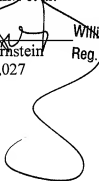
Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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Respectfully submitted,
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